

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
PARK HUNG QUAN,  
  
Defendant.

CASE NO. CR19-0148-JCC  
  
ORDER

This matter comes before the Court on the parties' stipulated motion to proceed with sentencing by video hearing (Dkt. No. 54). Having thoroughly considered the briefing and the relevant record, the Court GRANTS the motion for the reasons explained herein.

**I. BACKGROUND**

On June 12, 2020, Mr. Quan pleaded guilty to an indictment charging him with one count of Felon in Possession of a Firearm in violation of 18 U.S.C. § 922(g). (Dkt. Nos. 44, 46, 50.) He has been detained at the Federal Detention Center in SeaTac since his arrest. (*See* Dkt. Nos. 1, 13, 54.) After Mr. Quan entered his guilty plea, he was diagnosed with cancer and advised to start treatment as soon as practicable. (Dkt. No. 54 at 3.) His sentencing hearing was originally scheduled for September 8, 2020. (Dkt. No. 46.) But because of serious health and safety concerns related to the COVID-19 pandemic, the Court continued sentencing to October 13, 2020. (Dkt. No. 51.) By order of Chief Judge Ricardo S. Martinez, all criminal in-person

1 hearings scheduled to occur before January 1, 2021, have been continued pending the order of an  
2 individual judge. *See* W.D. Wash., General Order No. 15-20 at 2 (Oct. 2, 2020). To avoid further  
3 delays and to facilitate Mr. Quan's placement at a Bureau of Prisons' medical facility, the parties  
4 move for sentencing to proceed on October 13, 2020 by video hearing. (Dkt. No. 54 at 3.) Mr.  
5 Quan consents and has filed a waiver of in-person appearance. (Dkt. No. 55.)

## 6 **II. DISCUSSION**

7 Because of the health risks posed by the COVID-19 pandemic, the Court may conduct a  
8 felony sentencing hearing by video conference if the Court finds that the sentencing cannot be  
9 further delayed without serious harm to the interests of justice. *See* W.D. Wash., General Order  
10 No. 14-20 (Sept. 24, 2020), 04-20 (Mar. 30, 2020). Given his need for time-sensitive medical  
11 treatment, Mr. Quan has a strong interest in the speedy resolution of his sentencing. The Court  
12 FINDS that Defendant's sentencing cannot be further delayed without serious harm to the  
13 interests of justice.

## 14 **III. CONCLUSION**

15 For the foregoing reasons, the Court GRANTS the parties' stipulated motion to proceed  
16 with sentencing by video hearing (Dkt. No. 54).

17 DATED this 5th day of October 2020.

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John C. Coughenour  
UNITED STATES DISTRICT JUDGE